

MIDDLEBROOKS SHAPIRO, PC

P. O. Box 1630

Belmar, New Jersey 07753-1630

(973) 218-6877

Melinda D. Middlebrooks, Esq.

middlebrooks@middlebrooksshapiro.com

Attorneys for Byung Rai Cho

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BYUNG RAI CHO,

Chapter 7 Debtor.

Case No.: 23-13862-RG

Honorable Rosemary Gambardella

Chapter 7

**NOTICE OF MOTION FOR ORDER
CONVERTING CHAPTER 7 CASE TO CHAPTER 13
PURSUANT TO 11 U.S.C. § 706(a)
AND GRANTING RELATED RELIEF**

TO: HONORABLE ROSEMARY GAMBARDELLA

United States Bankruptcy Court

50 Walnut Street, 3rd Floor

Newark, New Jersey 07102

To All Parties on the Service List

Attached Hereto as **Exhibit A**

PLEASE TAKE NOTICE, that on November 14, 2023 at 10:00 a.m., or as soon as counsel may be heard, the undersigned, substituted counsel for Chapter 7 Debtor, Byung Rai Cho (the “**Debtor**”), shall move before the Honorable Rosemary Gambardella, United States Bankruptcy Judge, at the United States Bankruptcy Court, for the District of New Jersey, Courthouse, 50 Walnut Street, 3rd Floor, Newark, New Jersey 07102, seeking the entry of an Order Converting Chapter 7 Case to Chapter 13 Pursuant to 11 U.S.C. §§ 706(a), 706(d), and 1307(c) and Granting Related Relief (the “**Motion**”).

PLEASE TAKE FURTHER NOTICE, that the undersigned shall rely upon the Brief, and Certification filed herewith in support of the relief sought and proposed form of Order submitted herewith, as well as oral arguments of counsel (if necessary).

PLEASE TAKE FURTHER NOTICE, that oral argument is not requested unless timely opposition is filed to the Motion.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 9013-2(a) of the Local Rules of this Court, all objections must be in writing and filed no later than seven (7) days before the hearing with the Clerk of the United States Bankruptcy Court for the District of New Jersey, 50 Walnut Street, 3rd Floor, Newark, New Jersey 07102, and a copy thereof must simultaneously be served upon Middlebrooks Shapiro, P.C., P.O. Box 1630, Belmar, New Jersey 07719-1630.

PLEASE TAKE FURTHER NOTICE, that pursuant to Rule 9013-3(d) of Local Rules of this Court, failure of any person or entity receiving notice of the Motion to file objections thereto on a timely basis shall be a bar to the assertion of an objection to the entry by the Court of the proposed Order, as same may be modified, and the within Motion shall be deemed uncontested.

Respectfully submitted,

MIDDLEBROOKS SHAPIRO, P.C.
Counsel for Debtor

/s/ Melinda D. Middlebrooks

Dated: October 20, 2023

By: Melinda D. Middlebrooks, Esq.

EXHIBIT A

Barry J. Roy, Esq.
Rabinowitz Lubetkin & Tully, LLC
293 Eisenhower Parkway, Suite 100
Livingston, NJ 07039
Counsel for the Chapter 7 trustee

David Wolff, Chapter 7 Trustee
Lar Office of David Wolff, LLC
750 Route 34, Suite 11
Matawan, NJ 07747

Office of the United States Trustee
One Newark Center, Suite 2100
1085 Raymond Blvd.
Newark, NJ 07102-5235

Absolute Resolutions Investments, LLC
c/o Absolute Resolutions Corp.
8000 Norman Center Drive, Suite 350
Bloomington, MN 55437-1118

Admin Recovery
6225 Sheridan Dr. Site 1018
Williamsville, NY 14221-4800

Alltran Financial
PO Box 722929
Houston, TX 77272-2929

Bank of America
PO Box 15019
Wilmington, DE 19886

Barclays Bank Delaware
PO Box 60517
City of Industry, CA 91716-0517

Capital One
PO Box 60599
City of Industry, CA 91716-0599

Cavalry
PO Box 78019
Phoenix, AZ 85062-8019

Cavalry SPV I, LLC
PO Box 4252
Greenwich, CT 06831-0405

Cawley Bergman
550 Broad St., Suite 1001
Newark, NJ 07102-4542

Central Portfolio Control
10249 Yellow Circle Dr. Suite 200
Minnetonka, MN 55343-9111

Citibank
PO Box 7805
Phoenix, AZ 85062

Discover
PO Box 45909
San Francisco, CA 94145-0909

Discover Bank
PO Box 3025
New Albany, OH 43054-3025

FBCS
330 S. Warminster Rd.
Suite 353
Hatboro, PA 19040

Financial Recovery
PO Box 21405
Eagan, MN 55121-0405

First Bank
PO Box 2557
Omaha, NE 68103-2557

Hunt Henriques
7017 Realm Dr
San Jose, CA 95119-1491

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

JPMorgan
PO Box 60517
City of Industry, CA 91716-0517

JPMorgan Chase Bank N.A.
s/b/m/t Chase Bank USA, NA
c/o National Bankruptcy Services, LLC
PO Box 9013
Addison, TX 75001-9013

Midland Credit Management
350 Camino De La Reina, Suite 100
San Diego, CA 92108-3007

Midland Credit Management, Inc.
PO Box 2037
Warren, MI 48090-2037

Northstar Location Services
4285 Genesee St.
Cheektowaga, NY 14225-1943

Patenuade Felix
9619 Chesapeake Dr Suite 300
San Diego, CA 92123-1392

PNC Bank
PO Box 71335
Philadelphia, PA 19176-1335

PNC Bank, NA
c/o Ken I. Ito
Hemar Rousso & Heald
15910 Ventura Blvd 12th Floor
Encino, CA 91436-2802

Portfolio Recovery Assoc.
PO Box 12914
Norfolk, VA 23541

Shinhan Bank America
475 Park Avenue South
4th Floor
New York, NY 10016

Tae Whang
185 Bridge Plaza North
Suite 201
Fort Lee, NJ 07024-5900

TD Bank
PO Box 100290
Columbia, SC 29202-3290

TD Bank
PO Box 100290
Columbia, SC 29202-3290

TD Bank, NA
PO Box 1931
Burlingame, CA 94011-1931

US Bank, NA
Bankruptcy Department
PO Box 108
St. Louis, MO 63166-0108

US SBA EIDL
PO Box 3918
Portland, OR 97208-3918

United States Attorney
Peter Rodino Federal Building
970 Broad Street, Suite 700
Newark, New Jersey 07102